



**JUSTICE AND PUBLIC
SAFETY CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**AUTHORITY and
REFERENCES:
505 KAR 1:130,
KRS 15A.0652
3-JTS-5I-02, 04
1-JPAS-2-7178,7179**

CHAPTER: Juvenile Services in Community

**SUBJECT: Authorized Leave for Public
Offenders, Juvenile Sexual Offenders, and
Youthful Offenders in Placement**

POLICY NUMBER: DJJ 612

TOTAL PAGES: 8

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

COMMISSIONER

I. POLICY

Authorized leave may be permitted for emergencies, or to meet the treatment objectives of Public Offenders (PO) and Juvenile Sexual Offenders who are in placement. Authorized leave may be granted for Youthful Offenders (YO) consistent with the stipulations of KRS 439.600.

II. APPLICABILITY

This policy and procedure shall apply to all Public Offenders, Juvenile Sexual Offenders, and Youthful Offenders in placement. Reference DJJPP Chapter 3 (Authorized Leave: Off-Grounds Activities, Day Release, and Furlough).

III. DEFINITIONS

Refer to Chapter 600.

IV. PROCEDURES

A. Day releases and furloughs shall be planned to meet treatment objectives.

B. YOUTH RESIDING IN A DJJ PLACEMENT

1. Day Release

- a. The youth counselor and Juvenile Service Worker (JSW) shall coordinate the rules for the day release agreement.
- b. The Superintendent and Juvenile Services District Supervisor (JSDS) shall review the recommendation of the treatment team and make a final decision.
- c. If approved for day release, the youth counselor shall complete the day release paperwork and send to the JSW and JSDS for approval. If the day release will include the youth visiting their home, the home evaluation shall be updated if the preliminary

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home evaluation was not conducted within the past six (6) months.

- d. The youth and parent or caregiver shall sign and receive a copy of the conditions of the day release.
 - e. Prior to the unescorted day release of a YO, a request through the Regional Division Director shall be submitted to the Commissioner or designee, seeking final approval for the unescorted day release consistent with the provision of KRS 439.600.
 - f. Any differences in planning or approving day releases will be addressed through the supervisory channels, with the final decision being made by the Deputy Commissioners.
 - g. The youth counselor shall forward written notification of the intended day release to the JSW seven (7) days in advance of the anticipated leave.
 - h. The conditions of the day release and documentation shall accompany the youth during the day release.
2. Emergency Furlough
- a. The Superintendent or designee shall verify, with assistance of the JSW, the circumstances of the emergency.
 - b. The youth counselor shall initiate the request for an emergency furlough of a PO and submit it through the supervisory channels, with the final approval being granted by the Facilities Regional Administrator (FRA). The FRA shall notify the Regional Division Director on the same day of the emergency furlough.
 - c. The facility staff shall immediately notify the JSW when the emergency furlough is approved and when it occurs. The JSW shall immediately notify the JSDS.
 - d. During the emergency furlough period, the JSW shall maintain contact with the youth and parent or caregiver commensurate with Phase III of the community phase system.
 - e. The extension of the emergency furlough shall be approved by the Regional Division Director. Emergency furloughs shall not exceed more than seven (7) consecutive days, without proper authorization.
 - f. The emergency furlough for a YO shall only be approved as provided in KRS 439.600. Prior to the emergency furlough of a YO, the Regional Division Director shall submit a written request to the Commissioner or designee seeking final approval for the emergency furlough.

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- g. The youth counselor, JSW, JSDS, and Superintendent shall approve the emergency furlough agreement.
- h. The counselor shall review the emergency furlough agreement with the youth and parent or caregiver, obtain signatures, forward a copy to JSW, and give a copy to the parent or caregiver.
- i. In cases of critical illness or death of a family member or caregiver, the youth may be allowed to go to the bedside under escort or alone, when statutes and circumstances allow.

3. Furloughs

- a. The treatment team shall evaluate the readiness of the youth.
- b. The JSW shall update the home evaluation on the proposed furlough residence, to include a summary update of a CourtNet and TWIST enquiry and submit to the program counselor forty-five (45) days prior to scheduled discharge. If a home evaluation is denied, such conditions shall exist that cause the JSW to make a report to Department of Community Based Services (DCBS) as it relates to dependency, neglect, abuse, or human trafficking for investigation. If DCBS does not substantiate the referral, the youth shall be placed in the home; however, if safety conditions exist that cause the JSW to not make home visits, the JSW, after consultation with the JSDS, shall note the safety concerns on the home evaluation report and may utilize the assistance of law enforcement or meet the youth and family in a safe, neutral location.
- c. The youth counselor shall submit the request for furlough through supervisory channels, with final approval being granted by the Facilities Regional Administrator (FRA).
- d. The approved furlough shall be forwarded to the JSW and JSDS for required signatures.
- f. The counselor shall review the furlough agreement with the youth and parent or caregiver, obtain signatures, forward copy to JSW, and give a copy to the parent or caregiver. If the parent or caregiver is unable to transport the youth for furlough, the JSW shall obtain parent or caregiver's signatures on the furlough documents.
- g. The conditions of the furlough shall accompany the youth during the furlough.
- h. While the youth is on furlough, the JSW shall maintain a minimum of one (1) phone contact per day with the youth and his parent or caregiver.
- i. The furlough of YOs shall be prohibited except as provided for in KRS 439.600. Prior to the furlough of a YO, the Regional

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Division Director shall submit a written request to the Commissioner or designee seeking final approval for the furlough.

C. FOR YOUTH RESIDING IN A NON-DJJ PLACEMENT

1. Day Releases

- a. The treatment team shall recommend the day release.
- b. The Juvenile Services District Supervisor (JSDS) shall review the recommendation of the treatment team and make a final decision.
- c. If approved for day release, the Juvenile Service Worker (JSW) shall complete day release paperwork and obtain all required signatures. The youth and parent or caregiver shall sign and receive a copy of the conditions of release.
- d. An unescorted day release of a YO placed in a Level II non-DJJ facility may be authorized by the Commissioner or designee consistent with the provisions of KRS 439.600.
- e. Written approval from the Division Director of Community and Mental Health Services and the Office of the Commissioner shall be obtained prior to the unescorted day release of a YO.
- f. Any differences in planning or approving day releases will be addressed through the supervisory channels, with the final decision being made by the Deputy Commissioners.
- g. The youth counselor shall forward written notification of the intended day release to the JSW seven (7) days in advance of the anticipated leave.
- h. The conditions of the day release and documentation shall accompany the youth during the day release.

2. Emergency Furloughs

- a. The program staff shall verify circumstances of the emergency with the JSW.
- b. The JSW shall initiate the request for an emergency furlough, and submit it through the supervisory channels, with the final approval being granted by the Juvenile Services Regional Manager (JSRM). The JSRM shall notify the Division Director of Community and Mental Health Services on the same day of the emergency furlough.
- c. Upon notification of the emergency furlough, the JSW shall collaborate with facility staff in the planning and execution of the emergency furlough. The JSW shall immediately notify the JSDS.

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- d. The JSW shall document the approval for Emergency furlough in the electronic record.
- e. During the emergency furlough period, the JSW shall maintain contact with the youth and parent or caregiver commensurate with Phase III of the community phase system.
- f. The extension of the emergency furlough shall be approved by the Division Director of Community and Mental Health Services. Emergency furlough shall not exceed more than seven (7) consecutive days without proper authorization.
- g. The emergency furlough for Youthful Offenders in non-DJJ operated Level II placement shall be prohibited except as provided for in KRS 439.600. Written approval from the Division Director of Community and Mental Health Services and the Commissioner or designee shall be obtained prior to the emergency furlough of a Youthful Offender.
- h. The conditions of the emergency furlough shall be explicitly outlined for the youth, the parent or caregiver, designated youth counselor and JSW. The youth, parent or caregiver, youth counselor, JSW, JSDS, and the program director shall approve the emergency furlough conditions. The youth and parent or caregiver shall sign and receive a copy of the conditions of furlough.
- i. The conditions of the emergency furlough and its documentation shall accompany the youth during the emergency furlough.

3. Furloughs

- a. The treatment team shall evaluate the readiness of the youth.
- b. The program counselor shall provide written notification the JSW fourteen (14) days in advance of the planned furlough.
- c. The JSW shall update the home evaluation on the proposed furlough residence, to include a summary update of a CourtNet and TWIST enquiry and submit to the program counselor forty-five (45) days prior to scheduled discharge. If a home evaluation is denied, such conditions shall exist that cause the JSW to make a report to DCBS as it relates to dependency, neglect, abuse, or human trafficking for investigation. If DCBS does not substantiate the referral, the youth shall be placed in the home; however, if safety conditions exist that cause the JSW to not make home visits, the JSW, after consultation with the JSDS, shall note the safety concerns on the home evaluation report and may utilize the assistance of law enforcement or meet the youth and family in a safe, neutral location.

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- d. The JSW shall complete, and obtain required signatures on the furlough paperwork.
- e. The JSW shall submit the request for furlough through supervisory channels, with final approval being granted by the Juvenile Services Regional Manager.
- f. The JSW shall document the approval for furlough in the electronic record.
- g. The youth and parent or caregiver shall sign and receive a copy of the conditions of furlough. The conditions of the furlough shall accompany the youth during the furlough.
- h. While the youth is on furlough, the JSW shall maintain contact with the youth and their parent or caregiver a minimum of one (1) phone contact per day.
- i. Furloughs shall not be granted for more than two (2) consecutive days without proper authorization by the Division Director of Community and Mental Health Services.
- j. The furlough of YO placed in non-DJJ Level II placement shall be prohibited except as provided for in KRS 439.600. Written approval from the Division Director of Community and Mental Health Services and the Commissioner or designee shall be obtained prior to the furlough of a youthful offender.

D. Processing the completed Day Release, Emergency Furlough, and Furlough:

1. The JSW shall participate in a conference with the youth, parent or caregiver, and program counselor to review progress on the treatment objectives identified for the furlough.
2. The JSW shall document the conference in the ICR.

E. Day Release, Emergency Furlough, and Furlough Non-compliance:

1. The day release, emergency furlough, or furlough may be cancelled at any time due to the youth's non-compliance with the conditions, or other significant factors, related to the youth's status in the program.
2. If violations or circumstances occur that requires the day release, emergency furlough, or furlough to be cancelled, the following procedures shall be followed:
 - a. If the youth is with the parent or caregiver, the parent or caregiver shall notify the JSW and the facility of any alleged violations or circumstances. The JSW shall assess the situation to determine the action needed while considering the youth, parent or caregiver, and community safety.
 - b. If the youth counselor or the JSW verifies violations, the release or furlough shall be terminated and the youth returned to the

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facility. Notification shall be made to the JSDS and the facility Superintendent or Administrative Duty Officer (ADO).

- c. If a decision is made to return the youth to the facility, the youth counselor, JSW, JSDS, and Superintendent or ADO shall develop the plan to have the youth returned to the facility.
- d. Commissioner's Warrants shall be used to facilitate the return of a youth to the designated program when the youth is AWOL, or has escaped while on day release, emergency furlough, or furlough.

F. Medical Furlough

- 1. Medical furloughs for youth in foster care, therapeutic foster care, hospital settings, and private child care shall be granted for the duration as specified by the youth's health care provider, and if approved by the Division Director of Medical Services and the Division Director of Community and Mental Health Services.
- 2. Medical furloughs for youth in DJJ operated residential programs shall be approved by the Regional Division Director and the Division Director of Medical Services.
- 3. The medical furlough of YOs shall be prohibited except as provided for in KRS 439.600. Written approval from the Regional Division Director, Division Director of Community and Mental Health Services, and the Commissioner or designee shall be obtained prior to the medical furlough of a YO.
- 4. All medical furloughs shall be governed by written conditions which shall outline the length of the medical furlough and behavioral expectations of the youth during the medical furlough.
- 5. These conditions shall be agreed upon by signature of the youth, parent or caregiver, JSW, and the treatment team with approval by the Superintendent and JSDS, before the youth is placed on medical furlough.
- 6. Copies of the signed agreement shall be given to the youth, the JSW, and parent or caregiver supervising the youth during the medical furlough.
- 7. While the youth is on medical furlough, the JSW shall maintain contact with the youth and their family commensurate with Phase III of the community phase system.

G. Out of state furlough: Furloughs to out-of-state locations shall be pursuant to DJJPP Chapter 2, (Interstate Referrals).

V. STAFF TRAINING

The Juvenile Services District Supervisor shall ensure that community staff are trained annually on the following:

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- A. Day Release;
- B. Emergency Furlough;
- C. Furlough; and
- D. Medical Furlough.

VI. MONITORING MECHANISM

The Division Director of Community and Mental Health Services or designee and Quality Assurance Branch, shall develop monitoring protocols.